
	<b>LOS LUNAS POLICE DEPARTMENT</b>		
	OPERATIONS	NUMBER: OPR.01.01(D)	EFFECTIVE DATE: March 25, 2011
	SUBJECT: Electronic Video/ Audio		REVIEW DATE: July 20, 2015
	AMENDS/ SUPERSEDES:		NMSA: 29-1-16
NMMLEPSC STANDARDS: OPR.01.01(D)		APPROVED BY CHIEF OF POLICE NAITHAN G. GURULE  Signature	

## I. PURPOSE

It is the purpose of the electronic video and audio recordings policy to insure accountability and establish procedures for compliance with the electronic recording of custodial interrogations 29-1-16 NMSA and routine patrol/investigation functions.

II. All audio/video recordings, regardless of the content or media on which it is recorded, is and remains the sole property of the Los Lunas Police Department and is subject to review by department supervisors at any time.

III. Members of the Los Lunas Police Department are prohibited from recording their conversations with another member (either with their knowledge or surreptitiously) except in the case of an authorized criminal or administrative investigations. This does not apply to the surveillance (audio/video) installed within the police departments buildings or the recording of department phone lines.

## IV. RESPONSIBILITIES

A. Officers that are assigned in-car video cameras will comply with the following:

1. Officers must insure that the cameras are working. Any problems with the recording device must be brought to the attention of a supervisor immediately to have arrangements made for replacement or

repair.

2. Cameras will be activated at the time of citizen or suspect contact to include activation of the remote microphone and will remain on for the duration of the contact.
3. The in-car dash camera will be used for all traffic stops. Anytime the in-car dash camera is automatically activated, it will remain on for the duration of the particular call for service.
4. If the video is determined to be of evidentiary value it will be submitted as evidence procedures dictate.
5. Under no circumstances will any officer intentionally erase or alter any in-car camera video recordings.

B. Supervisors will be responsible for the following:

1. Shift sergeants will perform periodic spot checks of their respective patrol officer's in-car video.
2. Shift sergeants will ensure that copies of media requested by their officers are made and disseminated as necessary. If the media requested pertains to 9-1-1 tapes, the request will be forwarded to VRECC.
3. Supervisors will ensure that officers are downloading audio/video daily in their respective location

C. Officer's Body Worn audio/video recorders.

1. For the purpose of this policy, *audio/video* recorders refer to the department issued electronic devices which are manufactured for the purpose of capturing both audio and video simultaneously. Examples of department issued equipment outlined in this definition include MUVI Body Worn Audio and Video recorders manufactured by VEHO, or any other audio/ video equipment approved by the Chief.
2. Officers are responsible to insure that all audio/video

recorders are working correctly prior to shift. Any problems with the audio/video recordings must be brought to the attention of a supervisor immediately to have arraignments made for replacement or repair.

3. Audio/video recorders will be activated before or at the time of contact with citizens or suspects and will remain on for the duration of the contact unless an exigency exists not allowing this to occur. If the officer cannot activate their audio/video recorders during citizen or suspect contact for any reason, they will submit in writing to their supervisor to be forwarded up the chain of command, as to why this was not done, before the end of their shift. Supervisors will include their recommendations prior to summiting the document up the chain. These documentations will be maintained by the Office of Professional Standards.
4. Officers will take all reasonable precautions to insure recordings are properly downloaded without alteration into their respective data files. In the event of an anticipated citizen complaint, the officer involved will as soon as practical notify his immediate supervisor and make available all applicable recordings.
5. Officers may utilize devices which only capture audio (audio recorders) on a back up basis at their own discretion. However, the use of backup audio devices does not relieve the officer of any other responsibilities outlined in this policy. In the event the officers' primary audio/video device fails, he/she is still responsible for notifying their immediate supervisor.

B. Supervisors will be responsible for the following:

1. Supervisors will perform periodic spot checks of their respective patrol officer's down-loaded audio/video files. If a file is found to be nonexistent, supervisors will resort to section IV.C.(3) of this policy.
2. Supervisors will ensure officers are downloading their

audio/video, daily.

3. Supervisory personnel are charged with ensuring the provisions of this policy are complied with. In the event a supervisor identifies a pattern of a violation of this policy by a department employee, that supervisor may mandate the officer to use both audio/video recorders and an audio back up device for a period of time to be determined by the supervisor and a member of the command staff.

C. Request for discovery

1. The Record's Division will provide police reports and other related case materials upon receipt of a completed request for discovery by the defense. Request for discovery forms will be made available to the defense attorneys at the Los Lunas Police Department Records Office.
2. The release of any recorded records to the media or private parties will be authorized and/or disseminated by the Public Information Officers as per department policy.

D. Criminal Investigations Division

1. Detectives will use audio/video recorders during all citizen contacts; however, audio only recording may be feasible for certain situations. The detective will use their judgment and notify the Detective Sergeant if audio/video device was not used. Detective must have a valid reason for using audio only recording devices and not using the audio/video recording device.

E. Exceptions

1. Exceptions to this policy can be implemented at the discretion of the Chief of Police.